

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

August 30, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

SARA HERRERA,

Plaintiff,

v.

SAN ANTONIO POLICE DEPARTMENT, FNU GUZMAN, OFFICIAL CAPACITY, BADGE 2224, POLICE OFFICER, SAN ANTONIO POLICE DEPARTMENT; FNU VILLANUEVA, OFFICIAL CAPACITY, SERGEANT, SAN ANTONIO POLICE DEPARTMENT; RYAN LUZA, OFFICIAL CAPACITY, SERGEANT, SAN ANTONIO POLICE DEPARTMENT; JOE FRANK PICAZO, OFFICIAL CAPACITY, SAN ANTONIO POLICE DEPARTMENT; and WILLIAM MCMANUS, OFFICIAL CAPACITY, DIRECTOR CHIEF, SAN ANTONIO POLICE DEPARTMENT,

Defendants.

BY: NM
DEPUTY

CIVIL NO. SA:23-CV-00233-OLG

ORDER

Before the Court is the above-captioned action, which was referred to United States Magistrate Judge Richard B. Farrer for the disposition of pro se Plaintiff Sara Herrera's application to proceed in forma pauperis. Pursuant to 28 U.S.C. § 636(b) Magistrate Judge Farrer issued a report and recommendation (R&R) concerning Herrera's amended complaint.¹ (*See* Dkt. No. 15, filed July 17, 2023.) Herrera was served with a copy of the R&R (*see* Dkt. No. 16) and has filed objections (*see* Dkt. No. 17). When a party objects to a magistrate judge's recommendation, the Court must conduct a de novo review as to those portions of the recommendation to which an objection is made. *U.S. v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989); 28 U.S.C. § 636(b)(1); Fed.

¹*See* Dkt. No. 11. Herrera's response to Judge Farrer's Show Cause Order and supplemental filings are construed as an amended complaint.

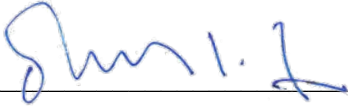
R. Civ. P. 72(b). After such review, the Court finds that the R&R is in all things correct and should be accepted.

Accordingly, it is **ORDERED** that Magistrate Judge Farrer's recommendation (Dkt. No. 15) is **ACCEPTED**. It is further **ORDERED** that, for the reasons set forth in the R&R, Plaintiff Sara Herrera's claims are **DISMISSED** as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B)(i).

This case is **CLOSED**.

It is so **ORDERED**.

SIGNED this 30th day of August, 2023.



ORLANDO L. GARCIA
United States District Judge